

House Bill 739

By: Representative Ralston of the 7th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 47-2-262 of the Official Code of Georgia Annotated, relating to membership in the Employees' Retirement System of Georgia by assistant district attorneys and employees of the Prosecuting Attorneys' Council, notice of election to become a member, and contributions, so as to provide that any person who was employed as an assistant district attorney on June 30, 1979, and who rejected membership in this retirement system at such time may, under certain conditions, be a member of such retirement system; to provide that such person shall be entitled to certain membership service; to provide that such person may obtain creditable service; to provide for application and payment; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 47-2-262 of the Official Code of Georgia Annotated, relating to membership in the Employees' Retirement System of Georgia by assistant district attorneys and employees of the Prosecuting Attorneys' Council, notice of election to become a member, and contributions, is amended by adding a new subsection to read as follows:

"(d) Any person who was employed as an assistant district attorney on June 30, 1979, who rejected membership in this retirement system at such time, who subsequently began paying employee contributions into this retirement system on July 1, 1998, and whose employer paid contributions on his or her behalf from such date shall be an active member of this retirement system and shall be credited with membership service beginning on July 1, 1998. In addition, such member shall be entitled to obtain creditable service for prior service as an assistant district attorney rendered from July 1, 1979, through June 30, 1998, by making application in such manner and providing such evidence of employment as the board deems appropriate and paying to the board of trustees an amount which would warrant the grant of creditable service without creating any additional actuarial accrued

27 liability as to the retirement system. Such application and payment shall be received by the
28 board of trustees not later than December 31, 2010. No credit shall be granted under this
29 subsection for any service for which credit is or may be granted in any other retirement
30 system or pension plan offered by the state or any political subdivision of the state."

31 **SECTION 2.**

32 This Act shall become effective on July 1, 2010, only if it is determined to have been
33 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia
34 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not
35 become effective and shall be automatically repealed in its entirety on July 1, 2010, as
36 required by subsection (a) of Code Section 47-20-50.

37 **SECTION 3.**

38 All laws and parts of laws in conflict with this Act are repealed.